

AMENDED IN SENATE MAY 26, 2006

SENATE BILL

No. 1623

**Introduced by Senators Cox and Ortiz
(Coauthor: Senator Machado)**

(Coauthors: Assembly Members Jones, Leslie, Nakanishi, and Niello)

February 24, 2006

An act to amend Section 12670.14 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 1623, as amended, Cox. ~~Folsom Dam modification project.~~
Flood damage reduction projects: Folsom Dam and Reservoir.

Existing law adopts and authorizes, at an estimated cost to the state of the sum that may be appropriated by the Legislature for state participation upon the recommendation and advice of the Department of Water Resources or the Reclamation Board, the federally authorized *project for flood damage reduction and environmental restoration in the American River watershed in Sacramento County, in accordance with specified documents, and the Folsom Dam modification project*, as modified by a prescribed report prepared by the Sacramento Area Flood Control Agency.

This bill, ~~for the purposes of that provision,~~ would reference ~~that the~~ *Folsom Dam modification project* as further modified by an ~~unspecified~~ addendum to that report *dated June 12, 2006, and prepared by the Sacramento Area Flood Control Agency. The bill would authorize the department and the Reclamation Board to collaborate with the Secretary of the Army, the Secretary of the Interior, and the Sacramento Area Flood Control Agency to adopt*

changes in those projects to achieve specified goals. The bill would make a related statement with respect to a legislative request.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12670.14 of the Water Code is amended
2 to read:

3 12670.14. The following projects in areas within the City of
4 Sacramento and the Counties of Sacramento and Sutter are
5 adopted and authorized at an estimated cost to the state of the
6 sum that may be appropriated by the Legislature for state
7 participation upon the recommendation and advice of the
8 department or the Reclamation Board:

9 (a) The project for flood control in the Natomas and North
10 Sacramento areas adopted and authorized by Congress in Section
11 9159 of the Department of Defense Appropriations Act of 1993
12 (P.L. 102-396) substantially in accordance with the
13 recommendations of the Chief of Engineers in the report entitled
14 “American River Watershed Investigation” dated July 1, 1992.

15 (b) The project for flood control along the American and
16 Sacramento Rivers adopted and authorized by Congress in
17 Section 101(a)(1) of the Water Resources Development Act of
18 1996 substantially in accordance with the recommendations of
19 the Chief of Engineers in the report entitled “American River
20 Watershed Project, California” dated June 27, 1996, as modified
21 by Congress in Section 366 of the Water Resources Development
22 Act of 1999.

23 (c) The project to modify Folsom Dam adopted and authorized
24 by Congress in Section 101(a)(6) of the Water Resources
25 Development Act of 1999, as described in the United States
26 Army Corps of Engineers Supplemental Information Report for
27 the American River Watershed Project, California, dated March
28 1996, as modified by the report entitled “Folsom Dam
29 Modification Report, New Outlets Plan,” dated March 1998,
30 prepared by the Sacramento Area Flood Control Agency, and as
31 further modified by the addendum to this report dated _____, June
32 12, 2006, prepared by the Sacramento Area Flood Control
33 Agency.

1 *(d) (1) The department and the Reclamation Board may*
2 *collaborate with the Secretary of the Army, the Secretary of the*
3 *Interior, and the Sacramento Area Flood Control Agency to*
4 *adopt changes in the projects authorized in subdivision (a) of*
5 *Section 12670.11 and subdivision (c) of this section to do both of*
6 *the following:*

7 *(A) Address matters concerning the safety of these projects*
8 *with reference to Folsom Dam and Reservoir.*

9 *(B) Achieve appreciable reductions in the cost of the project in*
10 *combination with the authorized project to raise Folsom Dam as*
11 *set forth in the estimated costs generated by the United States*
12 *Army Corps of Engineers.*

13 *(2) The Legislature requests, but does not require, that the*
14 *Sacramento Area Flood Control Agency, not later than January*
15 *10, 2007, prepare, and transmit to the relevant legislative policy*
16 *and fiscal committees, a fiscal analysis of project changes*
17 *authorized pursuant to paragraph (1).*

18 ~~(d)~~

19 *(e)(1) The project for flood control, environmental*
20 *restoration, and recreation along south Sacramento County*
21 *streams adopted and authorized by Congress in Section 101(a)(7)*
22 *of the Water Resources Development Act of 1999 as described in*
23 *the report of the Chief of Engineers entitled "South Sacramento*
24 *County Streams, California" dated October 6, 1998.*

25 *(2) Notwithstanding Section 12657, at the discretion of the*
26 *Reclamation Board, the Sacramento Area Flood Control Agency*
27 *may provide, for the project described in paragraph (1), the*
28 *assurances of local cooperation satisfactory to the Secretary of*
29 *the Army, in accordance with Section 12657, in lieu of*
30 *assurances by the Reclamation Board.*